

REMARKS

Claims 1-20 are currently pending in the application. By this amendment, claims 1-4 are amended and claims 5-20 are added for the Examiner's consideration. Support for the amendment(s) and added claims 5-20 is provided in originally filed claims, Figures 1-13 and related text of the present specification. No new matter is added. Applicants respectfully request reconsideration of the rejected claims in view of the above amendments and the following remarks.

Claim Objections

Claim 4 was objected to as containing informalities. Applicants respectfully submit that amended claim 4 is in full compliance with the stated objection. More specifically claim 4 is amended to remove any unnecessarily redundant limitation.

35 U.S.C. §112 Rejection

Claims 1-4 were rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

Applicants respectfully submit that amended claims 1-4 are in full compliance with 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request that this rejection over claims 1-4 be withdrawn.

35 U.S.C. §102 Rejection

Claim 1 was rejected under 35 U.S.C. §102(b) for being anticipated by Berg (U.S. Patent No. 982,566). Claims 1-2 were rejected under 35 U.S.C. §102(b) as being anticipated by Batch (U.S. Patent No. 5,709,003). Claims 1-2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Becker (U.S. Patent No. 1,622,900). Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by Myszkowski (U.S. Patent No. 2,420,260). Applicants respectfully traverse these rejections and reconsideration is hereby requested.

The present invention is directed towards a bottle brush, and more particularly to a brush for uniformly washing inner surfaces of bottles. The bottle brush is attached to at least one resilient support member capable of being expanded to have a shape that is substantially identical to an inner surface of the bottle. Additionally, the support members include lower and curved portions and the curved portions have a thinner width. This simply is not contemplated by the prior art.

Claim 1 is allowable over the cited references in that this claim recites a combination of elements including, for example:

at least one resilient support member which is unfolded so as to have a shape substantially identical with a shape of an inner peripheral surface of a nursing bottle, an inner side of a curved portion of the resilient support member having a thinner width than other portions of the resilient support member

None of the cited references teaches at least these features of the claimed invention.

Berg

Berg is directed towards a cleaning device for carboys. The Examiner is of the opinion that element 4 is a support member. However, the teachings of Berg are in opposite to this interpretation for at least the following reasons.

Referring to Figure 1, Berg discloses a rigid support number 1. Berg further discloses a rigid vertical or side member 4 that is hinged at opposite ends to top member 5. The member 4 is simply the backing of the brush itself. This is not a support member as recited by the claimed invention. The members 4, in turn, are hinged at their opposite ends to the head 6 of the sliding sleeve 7. (See column 1, lines 34-45.) Further, Berg teaches that each of the bottom members and each of the side members comprise wooden strips apertured at 8 to receive the bristles 9 thereby forming a brush. (See column 1, lines 46-49.) Of course, these members cannot then be resilient and form to the inner periphery of the bottle due to their material.

From at least Figure 1 and the foregoing description, vertical or side member 4 is not a support member, nor is it a "resilient support member which is unfolded so as to have a shape

substantially identical with a shape of an inner peripheral surface” as required by claim 1. Rather it is part of the brush itself. Moreover, Applicants respectfully submit that support 1 in Figure 1 is the support member. This support member 1 is attached to side members 2, 4, and 5 for providing support to the brush system. This support member is rigid, does not conform to an inside of the bottle, nor is it resilient.

Also none of the members 1, 2, 4, or 5 are “curved portion of the resilient support member having a thinner width than other portions of the resilient support member” as required by claim 1. In fact the support member 1 has a uniform diameter and is not curved. Also assuming *arguendo* that the Examiner’s interpretation is correct, that is, that vertical or side member 4 is a support member, there is no teaching that this member has a thinner width than other portions of the support member.

For at least the foregoing reasons, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Batch

Batch is directed towards a crank arm cleaning brush having a scrub pad. The Examiner asserts that a support member 42 is unfolded to fit the shape of the inner peripheral surface of the nursing bottle. (Office Action at 4.) Batch discloses at col. 2, lines 56-67, the following:

Attached, either threadably, snap fit, or otherwise, to the bottom of the rod 34 is a scrub cap 42 having a concave shape. The scrub cap 42 is made of a resilient material. A scrub brush 44 is secured to the bottom of the scrub cap 42. The scrub brush 44 can be of any appropriate scrubbing material such as a scouring pad-like material, a sponge, a short-bristled pad, or any other appropriate material. The scrub brush 44 can be dimensioned to be flush fit with its target container or to be slightly oversized so that upon insertion into the container, the scrub brush 44 flairs upwardly and provides an initial scrubbing of the sides of the target container.

However, the scrub cap 42 is not a support member which can form to an inner periphery of the bottle. At best, it is used for only cleaning a bottom portion of the bottle.

Batch also does not teach, for example, “a resilient support member having a thinner width than other portions of the resilient support member” as required by claim 1. Rather, scrub cap 42 has a substantially uniform width as shown in Figures 1-4 and related text.

Additionally, the scrub cap 42 is for cleaning only a bottom portion of the bottle and requires additional brushes to clean an inner peripheral surface of the bottle. In contrast, the present invention is directed to a support member capable of being unfolded to have a shape substantially identical with a shape of an inner peripheral surface of a bottle.

Additionally, if there is to be any interpretation, the rod 34 should be equated as a support member for the bristles. However, as seen, this is simply a rod and clearly does not conform to the inner periphery of the bottle.

For at least the foregoing reasons Applicants respectfully request that the rejection of claims 1-2 under 35 U.S.C. § 102(b) be withdrawn.

Becker

Becker is directed towards a bottle washing device. The Examiner asserts that this reference discloses a support member 3 having a brush 7 attached to an outer surface of the support member 3. (Office Action at 4.) In contrast to these assertions, Becker does not disclose a “resilient support member which is unfolded so as to have a shape substantially identical with a shape of an inner peripheral surface” as required by claim 1. Rather, Becker discloses bars 2 and 3 for supporting the brushes 6 and 7 at col. 1, lines 45-48. These bars 2 and 3 are not resilient support members nor do they have a shape substantially identical with an inner peripheral surface of the bottle. For example, referring to Figure 1 at a neck portion of the bottle, the bars do not conform to the bottle as the bars take only a linear shape. That is, there are no curved portions as required by the present invention. Also, there is no disclosure that bars 2 and 3 are resilient. In fact, it would appear that these bars are rigid.

Additionally, the bars 2 and 3 do not have “a thinner width than other portions of the resilient support member” as required by claim 1. Furthermore, the bars 2 and 3 are not

unfoldable to have a substantially identical shape as the inner surface of the bottle as they are rigid.

For at least the foregoing reasons Applicants respectfully request that the rejection of claims 1-2 under 35 U.S.C. § 102(b) be withdrawn.

Myszkowski

Myszkowski is directed towards a fruit jar washer. The Examiner asserts that the brush 29 is expanded by resilient operation of the support member 22. (Office Action at 5.) In contrast, to these assertions Myszkowski discloses at columns 1-2, lines 52-55, and lines 1-7, respectively, the following:

A brush-support plate 22 is carried by the rod 21 in the manner shown in Figure 1, and this plate 22 is provided with a horizontally extending portion 23 which is slotted, as at 24, for receiving the telescoping lower end 25 of the rod 21. A coil 26 is carried by the lower end of the rod 21 and engages the portion 23 of the plate 22 to yieldably support the lower end of the plate 22 upon the lower end of the rod 21. Laterally extending telescoping supporting sleeves 27 are carried by the rod 21 and engage plate 22

Additionally, this reference discloses at col 3, lines 2-6:

The sleeves 27 may be telescoped and in conjunction with the springs carried thereby the plate 22 will be yieldably spaced laterally of the rod 21.

Therefore, the brush-support plate 22 is not a resilient support member as required by the invention. Further, the brush-support plate 22 is not "unfolded so as to have a shape substantially identical with a shape of an inner peripheral surface" as required by claim 1. Rather, there is an intricate configuration of many parts to adjust and move the brush-support plate 22, which is different from the present invention. Also, as shown in Figure 2, the plate 22 is clearly non-resilient, but is a rigid piece. This is further shown by the shape of Figure 4, which has this shape even though not inserted into the jar.

Additionally, Myszkowski does not disclose "the resilient support member having a thinner width than other portions of the resilient support member" as required by claim 1. As shown in Figure 2 and related text the brush-support plate has a substantially uniform width. Finally, Applicants respectfully assert that the rod 21, in any event, is the support member, not the brush-support plate 22.

For at least the foregoing reasons Applicants respectfully request that rejection of claims 1-3 under 35 U.S.C. § 102(b) be withdrawn.

35 U.S.C. §103 Rejection

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Berg in view of Kweon, Batch in view of Kweon, Becker in view of Kweon, and Myszkowski in view of Kweon. Applicants respectfully traverse these rejections and reconsideration is hereby requested.

Applicants respectfully request clarification of the rejection. It appears that the rejection is over Berg, Becker, and Batch in view of Kweon. That is, a single rejection of claim 4 under 35 U.S.C. § 103(a). If this is not what the Examiner intended then new grounds of rejection are requested.

Claim 1 is allowable over Berg, Beck, and Batch, for at least the reasons as discussed above, as none of these references teach or suggest the required elements of claim 1. Accordingly, Applicants respectfully submit that claim 4, which depends from claim 1, is allowable over the cited references.

Additionally, Kweon fails to cure the deficiencies of these references. Kweon is directed towards a tooth brush, not a bottle washer. This is non-analogous art and as such one of ordinary skill in the art would not have been motivated to combine such references.

Newly Added Claims

In this response, claims 5-20 are newly added in order to capture the subject matter of the present invention from different perspectives. These claims 5-20 are directed to the features fully described in the specification but not disclosed or suggested in the art of record.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a large, stylized loop at the end.

Andrew M. Calderon
Registration No. 38,093

McGuireWoods, LLP
Suite 1800
1750 Tysons Blvd.
McLean, VA 22102
(703) 712-5426